

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

WILLIAM S. McLAURINE II,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 3:06CV1014-MEF
	)	(WO)
CITY OF AUBURN, ALABAMA, et al.,	)	
	)	
Defendants.	)	

**ORDER**

This action is before the court on plaintiff's "second motion for corrective action." Count II of the amended complaint alleges that defendant Benjamin Walker "had responsibility for supervision and training over the unnamed police DISPATCHER during the events listed in this count." (Amended Complaint, p. 4). Plaintiff now seeks to amend Count II of his complaint to assign a percentage of liability of 2.5% to Walker, and to adjust the percentages of liability he previously assigned to other defendants named in Count II. An allegation in the complaint assigning a percentage of fault or liability is unnecessary. However, plaintiff apparently intends the amendment to clarify that he seeks relief from Walker under Count II. Accordingly, it is

ORDERED that the motion (Doc. # 29) is GRANTED.<sup>1</sup>

DONE, this 31<sup>st</sup> day of January, 2007.

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<sup>1</sup> In a separate pleading, plaintiff "reserves the right to adjust such [percentages of liability] later . . . ." (Doc. # 28, ¶ 2). The court will not permit further amendments simply for the purpose of adjusting the percentages of liability assigned by plaintiff to each defendant.

/s/ Susan Russ Walker

SUSAN RUSS WALKER  
UNITED STATES MAGISTRATE JUDGE